

DE BEVOISE & PLIMPTON LLP

919 Third Avenue
New York, NY 10022
Tel 212 909 6000
Fax 212 909 6836
www.debevoise.com

May 16, 2014

VIA ECF AND FAX

Hon. Loretta A. Preska
Chief United States District Judge
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

**In re Application of Natalia Potanina,
Nos. 14-Misc-31 and 14-Misc-57 (S.D.N.Y., consolidated Mar. 14, 2014) (Part I)**

Dear Chief Judge Preska:

We represent Respondents Altpoint Capital Partners LLC (“Altpoint”), Guerman Aliev, the Chairman and Chief Executive Officer of Altpoint, as well as five of his co-executives, in the above-captioned proceeding (collectively, “Respondents”). We write briefly to reply to the letter from Petitioner’s counsel sent to the Court earlier today, requesting that the Court hear argument on Monday at 10:00 a.m. on Respondents Motion to Vacate Ex Parte Orders and to Quash or Stay the Subpoenas and, In the Alternative, for Other Appropriate Relief (“the Motion to Quash”).

We have been working with Petitioner’s counsel to reach a comprehensive agreement that would provide them, subject to what we hope will be a stipulated Protective and Confidentiality Order, with discovery that is responsive to their Section 1782 subpoenas, while not burdening our clients with inordinate expense and distraction. We have made good progress, and are continuing discussion to narrow our differences.

Because a negotiated resolution would moot the need for the Court to hear and determine the pending motion, as well as potentially related issues pertaining to the management of discovery and disclosure, we do not believe it is the best use of the Court’s and the parties’ resources to divert time and attention by the parties or the Court in addressing the Motion to Quash at this time.

We would suggest as an alternative that at Monday’s conference the Court discuss with the parties setting a date for hearing the Motion to Quash, with the expectation that

Hon. Loretta A. Preska

2

May 16, 2014

argument would proceed if the parties had been unable to resolve their differences by that time.

As a courtesy, if at all feasible, we would request that the Court advise counsel today if it intends to hear argument at Monday's conference on the Motion to Quash.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/ Joseph P. Moodhe

Mark W. Friedman
Joseph P. Moodhe
Steven S. Michaels
Yeugenia (Jane) Shvets
DEBEVOISE & PLIMPTON LLP
919 Third Avenue
New York, New York 10022
Tel.: +1 212 909 6000
Fax: +1 212 909 6836
mwfriedman@debevoise.com
ssmichaels@debevoise.com
jshvets@debevoise.com

*Attorneys for Respondents Altpoint
Capital Partners LLC, Guerman Aliev,
Derek Pease, Brett A. Pertuz, Anish Sheth,
Eric Chan, and Prabhkirat (Yuki) Narula*

cc: Karl Geercken, Esq. (karl.geercken@alston.com)
Amber Wessels-Yen, Esq. (amber.wessels-yen@alston.com)
Matthew Decker, Esq. (matt.decker@alston.com)